

THIRD DECLARATION OF COLLEEN ROBBINS
Pursuant to 28 U.S.C. § 1746

I, Colleen Robbins, have personal knowledge of the facts and matters set forth below. If called as a witness, I could and would testify as follows:

1. I am one of the attorneys representing the Federal Trade Commission (“FTC”) in an enforcement action against TheFBAMachine Inc.; Passive Scaling Inc.; Sales Support New Jersey Inc.; 1HR Deliveries Inc.; Hourly Relief Inc.; 3PL Logistic Automation Inc.; FBA Support NJ Corp.; Daily Distro LLC; Closter Green Corp., doing business as Wraith & Co.; and Bratislav Rozenfeld, also known as Steven Rozenfeld and Steven Rozen (collectively, “Defendants”). My business address is 600 Pennsylvania Avenue, NW, Mailstop CC-8528, Washington, DC 20580.
2. I am over twenty-one years old and am a citizen of the United States. I am a member in good standing of the New Jersey Bar (Bar No. 2882710) and the New York Bar (Bar No. 027091997).
3. As part of my work on this matter, my colleague Frances Kern and I corresponded with defense counsel in this matter regarding potential violations of the asset freeze provision of the Temporary Restraining Order (Docket No. 5) and Preliminary Injunction (Docket No. 54). Attached as **Attachment A** is a true and correct copy of this correspondence.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: January 23, 2025
Washington, D.C.

Colleen Robbins

Colleen Robbins

From: [Kern, Frances](#)
To: musheresq@gmail.com; alexanderesq35@gmail.com
Cc: [Robbins, Colleen B.](#)
Subject: Correspondence re FTC v. TheFBAMachine
Date: Friday, January 3, 2025 1:48:04 PM
Attachments: [25.1.3 Letter from FTC re FTC v. TheFBAMachine.pdf](#)

Gentlemen,

Please see the attached letter.

Thank you.

Sincerely,
Fran Kern

Frances L. Kern (she/her) | Attorney | Federal Trade Commission
Bureau of Consumer Protection | Division of Marketing Practices
BCP/DMP | CC-8543
Org 1144 | Mail Stop CC-6316
600 Pennsylvania Avenue, NW | Washington, DC 20580
(202) 326-2391 | fkern@ftc.gov



Bureau of Consumer Protection
Division of Marketing Practices

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, DC 20580

Frances L. Kern
(202) 326-2391
(202) 326-3395 (fax)
fkern@ftc.gov

January 3, 2024

VIA ELECTRONIC MAIL

Mikhail Usher, Esq.
Alexander Susi, Esq.
Usher Law Group
musheresq@gmail.com
alexanderesq35@gmail.com

Re: *Federal Trade Commission v. TheFBAMachine Inc. et al.*,
No. 2:24-cv-6635 (JXN) (LDW) (D.N.J.)

Dear Messrs. Usher and Susi:

As you know, the Federal Trade Commission previously served a subpoena on Wells Fargo Bank, N.A. (“Wells Fargo”) requesting documents pertaining to an automobile loan and accounts held there by Bratislav Rozenfeld. As you also know, your clients’ assets have been frozen since June 2024 under the Court’s temporary restraining order (ECF Nos. 5, 22) and the stipulated preliminary injunction (ECF No. 53) your client agreed to in August. Wells Fargo recently produced documents responsive to the subpoena, and they show eighteen separate payments totaling \$24,582.42 from unidentified sources or accounts that were all made since the Court issued the asset freeze, as shown in the chart below:

Account Name	Account Number	Date	Payment Amount	Bank Reference
Bratislav Rozenfeld	x8834	7/29/24	\$3,000	Online ACH Payment
Bratislav Rozenfeld	x8834	8/5/24	\$1500	Online ACH Payment
Bratislav Rozenfeld	x8834	8/14/24	\$1500	Online ACH Payment
Bratislav Rozenfeld	x8834	8/20/24	\$650	Online ACH Payment
Bratislav Rozenfeld	x8834	8/22/24	\$1000	Online ACH Payment
Bratislav Rozenfeld	x8834	9/3/24	\$400	Online ACH Payment
Bratislav Rozenfeld	x8834	10/24/24	\$321	Online ACH Payment
Bratislav Rozenfeld	x2682	7/17/24	\$208	Online ACH Payment
Bratislav Rozenfeld	x2682	7/29/24	\$1500	Online ACH Payment
Bratislav Rozenfeld	x2682	8/7/24	\$1000	Online ACH Payment
Bratislav Rozenfeld	x2682	8/8/24	\$2483.47	Online ACH Payment
Bratislav Rozenfeld	x2682	8/15/24	\$1200	Online ACH Payment
Bratislav Rozenfeld	x2682	8/16/24	\$750	Online ACH Payment
Bratislav Rozenfeld	x2682	8/31/24	\$400	Phone Payment
Bratislav Rozenfeld	x2682	9/12/24	\$2200	Online ACH Payment
Bratislav Rozenfeld	Wells Fargo Car Loan	7/13/24	\$2129.95	Online Payment

Bratislav Rozenfeld	Wells Fargo Car Loan	8/15/24	\$2140	Online Payment
Bratislav Rozenfeld	Wells Fargo Car Loan	10/25/24	\$2200	Online Payment

Please provide us with the source and initiator of each of these payments, including name of the person who initiated each payment, the bank name and account number from which each payment came, and the name of every person who holds an interest in each source.

In addition, account statements from your client's Wells Fargo credit card (account ending 8834) show a number of payments to All Web Leads, a lead-generation service; Corso, an online phone autodialer; YouTube; and Facebook, indicating that your client is—or is attempting to—engage in sales. Please tell us what your client is or has been selling. I remind you that the stipulated PI prohibits your client from misrepresenting or assisting others in misrepresenting to consumers any material fact concerning any good or service. (ECF No. 53, § 1.F)

Please provide this information to us no later than 5:00 p.m. on Wednesday, January 8.

Sincerely,

A handwritten signature in blue ink, appearing to read "Frances L. Kern", with a stylized flourish at the end.

Frances L. Kern
Attorney

cc: Colleen Robbins, Esq. (via email)

From: [Robbins, Colleen B.](#)
To: [musheresq@gmail.com](#); [alexanderesq35@gmail.com](#)
Cc: [Kern, Frances](#); [Anthony Sodong](#); [mdudas@msbnj.com](#); [splacona@msbnj.com](#)
Subject: Possible Contempt Issues and follow up
Date: Wednesday, January 8, 2025 5:10:00 PM

Counsel,

As we mentioned in our letter to you on January 3 and our email yesterday, your client has made credit card payments to Wells Fargo and American Express for the past 6 months, post TRO. Your client provided us with an updated financial disclosure form on October 25, prior to the second contempt hearing. In this form Rozenfeld did not: 1) list any transfers of assets to himself (as defined in the form) during the previous 5 years, 2) list any other bank accounts other than Wells Fargo, and 3) explain how he is self-employed. In fact, he merely states that his income is 3200 per month (and maybe makes \$56,000 per year, but there is no year listed for that). Given that your client has paid, since June 5, 2024, **\$233,636.57** to these particular credit cards that we know about, he has not been truthful on his financial disclosure form. None of this is possible with the information we have. In addition, the accounts we know about at Wells Fargo, Capital One, Signature/Flagstar, TD Bank and Chase are confirmed to be frozen.

As stated in both the letter and email, we need to know from your client by **COB Monday, January 13** the information we have requested regarding transfers to the credit card companies.

We have also learned from the Amex records that Rozenfeld's mail is sent to a place in Hallandale Beach, Florida. He failed to mention this address on his financial disclosure form and, according to Zillow, it rents for \$10,500 per month. Please also advise who resides at that address and where the money is coming from to pay the rent.

We will be updating the court as to your client's conduct and any information you provide.

Thank you,
Colleen

Colleen Robbins
Chief of Online Threat Initiatives
Federal Trade Commission
Bureau of Consumer Protection I Division of Marketing Practices
600 Pennsylvania Ave, NW
Washington, DC 20580
202-326-2548